

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

HARRIETTE LACKEY,

Plaintiff,

v.

CIV 10-0132 WJ/GBW

STATE OF NEW MEXICO,  
DAVID TESTA, and  
RICHARD L. SILVA,

Defendants.

ORDER DENYING MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

THIS MATTER is before the Court on Plaintiff's Motion for Leave to Proceed *in forma pauperis*. Doc. 25. The granting of *in forma pauperis* status exempts litigants from filing fees only. See *Porter v. Dep't of Treasury*, 564 F.3d 176, 180 (3d Cir. 2009). Given that this case has been removed by Defendant Testa, Plaintiff owes no such filing fees. As such, Plaintiff's motion is denied as moot. If, in the future, Plaintiff is required to pay filing fees, she may bring another motion seeking *in forma pauperis* status.

WHEREFORE,

IT IS ORDERED that Plaintiff's Motion for Leave to Proceed *in forma pauperis* is denied without prejudice.

A handwritten signature in black ink, appearing to read 'G.B. Wormuth', is written over a horizontal line.

GREGORY B. WORMUTH  
United States Magistrate Judge